

REMARKS

Claims 1-52 are pending. The Specification is amended herein as suggested by the Examiner.

Double Patenting and § 103 Rejections

Claims 1, 2, 6, 9-13, 15-18, 21-24, 26-29, 31, 32, 35, 38, 39, 41-44, 47-50 and 52 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as purportedly unpatentable over claims of U.S. Pat. App. No. 10/712,361. In addition, claims 1, 2, 6, 9-13, 15-18, 21-24, 26-29, 31, 32, 35, 38, 39, 41-44, 47-50 and 52 stand provisionally rejected under 35 USC § 103(a) as purportedly unpatentable over U.S. Pat. App. No. 10/712,361, taken alone. Applicants enclose herewith a Terminal Disclaimer in compliance with 37 CFR § 1.321. Applicants here state that the present application and the reference application, U.S. Pat. App. No. 10/712,361, were, at the time the present invention was made, owned by, or subject to an obligation of assignment to, the same person. (MPEP § 706.02(l)(2)(II)) The Terminal Disclaimer is also provided in support of this statement. Applicants submit that the double patenting and § 103(a) rejections of claims 1, 2, 6, 9-13, 15-18, 21-24, 26-29, 31, 32, 35, 38, 39, 41-44, 47-50 and 52 have been overcome and should be withdrawn.

Claims 1-6, 8-13, 15-18, 21-32, 34-39, 41-44 and 47-52 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as purportedly unpatentable over claims of U.S. Pat. App. No. 10/733,211 in view of JP 54-052690 (Asawa). In addition, claims 1-6, 8-13, 15-18, 21-32, 34-39, 41-44 and 47-52 stand provisionally rejected under 35 USC § 103(a) as purportedly unpatentable over U.S. Pat. App. No. 10/733,211, taken in view of JP 54-052690 (Asawa). Applicants enclose herewith a Terminal Disclaimer in compliance with 37 CFR § 1.321. Applicants here state that the present application and the reference application, U.S. Pat. App. No. 10/733,211, were, at the time the present invention was made, owned by, or subject to an obligation of assignment to, the same person. (MPEP § 706.02(l)(2)(II)) The Terminal Disclaimer is also provided in support of this statement. Applicants submit that the double patenting and § 103(a) rejections of claims 1-6, 8-13, 15-18, 21-32, 34-39, 41-44 and 47-52 have been overcome and should be withdrawn.

Claims 1-6, 8-13, 15-18, 21-32, 34-39, 41-44 and 47-52 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as purportedly unpatentable over claims of U.S. Pat. App. No. 10/712,590 in view of JP 54-052690 (Asawa). In addition, claims 1-13, 15-18, 21-32, 34-39, 41-44 and 47-52 stand provisionally rejected under 35 USC § 103(a) as purportedly unpatentable over U.S. Pat. App. No. 10/712,590, possibly taken in view of JP 54-052690 (Asawa). Applicants enclose herewith a Terminal Disclaimer in compliance with 37 CFR § 1.321. Applicants here state that the present application and the reference application, U.S. Pat. App. No. 10/712,590, were, at the time the present invention was made, owned by, or subject to an obligation of assignment to, the same person. (MPEP § 706.02(l)(2)(II)) The Terminal Disclaimer is also provided in support of this statement. Applicants submit that the double patenting and § 103(a) rejections of claims 1-13, 15-18, 21-32, 34-39, 41-44 and 47-52 have been overcome and should be withdrawn.

Allowable Subject Matter

The Office Action acknowledges that claims 14, 19, 20, 40, 45 and 46 contain allowable subject matter.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Respectfully submitted,

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Date

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